

**MS Word Export To Multiple PDF Files Software - Please purchase
license.RESOURCES & DEVELOPMENT MANAGEMENT DEPARTMENT REPORT**

HEARING DATE: March 23, 2004

TO: Orange County Planning Commission

FROM: Current & Advance Planning Services Division

SUBJECT: Site Development Permit PA03-0119 for Maher George

LOCATION: 33472 Vista del Verde in Coto de Caza (Supervisory District 5)

STAFF CONTACT: Frank McGill (714) 834-2099

SYNOPSIS: The applicant seeks approval for expansion of and additional uses for an existing commercial building (i.e., the General Store). Staff recommends conditional approval.

BACKGROUND:

Per Zoning Code section 7-9-150, this application could be acted on administratively but, due to issues discussed below and the public comments received, it is being presented to the Planning Commission at a noticed public hearing for action.

Previously, the applicant submitted Site Development Permit PA00-0128 for the same purpose as stated above. On December 4, 2001, the Planning Commission denied the application. The applicant appealed but the Board of Supervisors upheld the Planning Commission action. The current proposal is significantly modified in response to comments made in the staff report and oral testimony regarding the earlier proposal. The staff report and Planning Commission minutes regarding that earlier proposal are in Attachment F.

PUBLIC NOTICE:

A public notice of this hearing was posted and mailed per State law by March 12, 2004. Additionally, a public notice and this staff report were mailed to key community representatives.

CEQA COMPLIANCE:

The proposed project is covered by Final EIR 401, previously certified on September 21, 1982, and Addendum PA030119 (see Attachment E). Prior to project approval, this EIR and Addendum must be found adequate to satisfy the requirements of CEQA for this project by your Commission. A finding for that purpose is included in Attachment A.

PROJECT SITE:

The 1.6-acre site is located within Planning Area 21 of the Coto de Caza Specific Plan and designated therein as "Community Center/Commercial." Since 1968, it has been the

location of the existing General Store. The site is located immediately adjacent to the Coto de Caza Equestrian Center to the north and Mercy Hill private elementary school to the west. Across the street to the south is residential development (i.e., the Village). Aerial and site photos are in Attachment B.

PROJECT DESCRIPTION:

Illustrations and exhibits of the proposed project are in Attachments G and H. The applicant is proposing an expansion of the existing 2,330 sq. ft., single-story General Store building by 4,042 sq. ft. of additional floor space. The finished product would result in 5,112 sq. ft. on the first floor and 1,260 sq. ft on the second floor. In addition to continued use of the General Store, the applicant proposes uses including a coffee shop, ice cream fountain, mail services, laundry delivery/pick-up services, and real estate offices.

PROJECT ANALYSIS:

The proposed project easily satisfies all of the site development standards of the Community Center/Commercial Planning Area, as did the earlier application. For example, (1) building site coverage can be up to 50 percent of the site but the applicant is proposing just 13.6 percent building site coverage, and (2) building height may be up to 40 ft. but the applicant is proposing a maximum of 24 ft. in height.

The issue, as before, is whether or not the proposed project complies with the Coto de Caza Specific Plan design guidelines (see Attachment C). In the previous staff report, the guidelines were discussed and specific recommendations made as to how the project should be modified in order to satisfy those guidelines and be acceptable. In written and oral testimony, community representatives endorsed that staff analysis. Thus, we have compared the recommendations in that earlier staff report with the current proposal as follows:

1. Staff recommended that architectural accents such as a windmill be added. The applicant added a windmill as shown in Attachment G.
2. Staff recommended that public spaces and amenities, such as patios and picnic tables be added. The applicant added two patios with picnic tables and benches as shown in Attachments G and H.
3. Staff recommended that the building(s) be redesigned not to have an institutional look but a rural character that blends in with the setting. The applicant redesigned the project in a manner that we believe is a major improvement regarding this recommendation (see Attachments G and H). Exterior materials include redwood siding and simulated wood shake roofing.
4. Staff recommended that deep setbacks and more landscaped open space be provided. The current design has significantly deeper setbacks and more landscaped open space than before.

5. Staff recommended that the expanded and existing floor space be limited to a combined total of 6,000 sq. ft. The applicant is proposing a combined total of 6,372 sq. ft.

REVIEW BOARD AND HOA COMMENTS:

The following discussion is based upon written comments included in Attachment D and a meeting with official representatives of the Coto de Caza Specific Plan Board of Review, the CZ Master Association, and the Village HOA, which is located directly across from the General Store. The meeting was conducted subsequent to the Coto de Caza Specific Plan Board of Review recommending denial of the project.

The Coto de Caza community is strongly supportive of refurbishing the General Store because the building has become dilapidated. There is also general support for some “reasonable” expansion of the main building and some additional uses. However, there are areas of concern as follows:

Rural character:

As stated in the Specific Plan, the subject site should, “stress intimate settings with a rural character.”

The community representatives believe that the current building design with windows walls on the north and east side are not compatible with this guideline. The façade on the south side with redwood siding and clear story windows is more acceptable. Thus, staff has included condition of approval #1 to revise the building design plans accordingly.

There was also a request that the windmill design be similar to existing windmills located in the community (see Attachment B). Condition of approval #1 also addresses this request.

Another request, which staff does not support, was to eliminate the exterior doors for tenant areas and allow access only from the interior of the General Store.

Some mature trees are proposed to be removed for which there is some doubt if they really need to be removed. Preserving these trees would contribute to the above stated guideline. Thus, staff has included condition of approval #5 requiring that an arborist certify that the trees need to be removed.

To further address community concerns and support the above stated guideline, staff also included conditions of approval #6, #7, and #8 which limit signs, exterior lighting, and the keeping of trash, storage, and mechanical equipment.

Serving the gated community:

The community representatives strongly believe that any additional uses should be focused on serving the local gated community of Coto de Caza and not be dependent on

Site Development Permit PA03-0119 for Maher George
Page 4

generating traffic from outside the gates. Thus, staff has included conditions of approval #3 and #4 limiting the uses allowed and the hours of operation.

Completed project:

There is concern among the community representatives that the applicant may only complete a portion of the proposed project. To be acceptable, the entire project must be completed. Thus, staff has included condition of approval #2, which precludes only a portion of the project being completed.

CONCLUSION:

The proposed project has been reviewed by appropriate County staff and official representatives of Coto de Caza. We believe that the project, with the recommended conditions of approval, is consistent with provisions of the Coto de Caza Specific Plan and, overall, is acceptably responsive to community concerns.

RECOMMENDED ACTION:

1. Receive staff report and public testimony.
2. Approve PA03-0119 subject to the findings and conditions in Attachment A.

Respectfully submitted,

John B. Buzas, Manager
Current & Advance Planning Services

Attachments:

- A. Findings and Conditions
- B. Aerial & Site Photos and Coto Windmill
- C. Specific Plan Design Guidelines
- D. Review Board and HOA Comments
- E. Environmental Documentation
- F. Previous Staff Report and Planning Commission Minutes
- G. Site Plan Illustrations
 - Proposed Freestanding Sign
 - Proposed Windmill
 - Proposed Building Façade
 - Proposed Detached Patio
- H. Site Plan
 - Plot Plan
 - Building Plans
 - Landscaping Plans